

Rasab Khan (Mediator)

Complaints Procedure

Introduction

1. This document sets out the processes to be followed when someone wishes to make a complaint to or against me.

Scope

2. This procedure is available to anyone who is or has been involved in a mediation that I have conducted, whether as a sole mediator or co-mediator. This includes Participants, Counsel, Solicitors, Litigation Friends and Supporters. It does not include Observers.
3. This procedure covers my conduct of a mediation or pre-mediation meeting. It also covers any pre-mediation correspondence or technical testing/training.

Definition of a Complaint

4. A 'formal' complaint is any expression of dissatisfaction referred to me that is formally registered.

Procedure

Commencement

5. I ask that a complaint be put in writing and sent to me. I will, within 48 hours, acknowledge receipt of the complaint.

Informal Discussion

6. Within 48 hours of acknowledging the complaint I will contact the complainant and agree a date and time for a telephone conference. The purpose of the conference will be to achieve a thorough understanding of the complaint and hopefully to correct any misunderstanding and/or to achieve resolution.
7. Following such informal discussion I will, within 48 hours, send a minute of our discussion. The complainant will have an opportunity to comment upon and, if necessary, invite correction of the minute.
8. Following agreement of the minute I will send a final version within 48 hours. If the solution or part of the solution is that an apology be given I will send it with the final version of the minute. Where any other form of corrective action is agreed I will wherever possible carry it out within seven days.

Formal Meeting

9. If the informal discussion does not result in resolution, I will immediately invite the complainant to attend a meeting with me which may be in-person or by Zoom/Teams etc.
10. At a formal meeting, a complainant may be accompanied by a legal adviser or other supporter.
11. The purpose of the formal meeting will be further to explore the complaint as appropriate and agree resolution. The agreed resolution will be put in writing and signed by the relevant attendees before the end of the meeting.
12. If an apology is the agreed action it will be sent within 48 hours of the end of the meeting. Where any other form of corrective action is agreed I will wherever possible carry it out within seven days.

Escalation

13. If the formal meeting does not result in resolution the complaint may be escalated to the Society of Mediators, which will determine the matter according to its procedures. You may also escalate the complaint with the Civil Mediation Council. Further details can be found at <https://civilmediation.org/complaints-process/>

Procedure Monitoring, Review and Analysis

14. I will conduct an annual review of this Complaints Procedure, to verify that it is in effective operation. This will include an analysis of any complaints received by me. If the analysis demonstrates there is need for a change or improvements in procedures, this will be reviewed to ensure all stakeholders receive an improved service. A central record of any complaints made, and their ultimate resolution is also kept. I will also consider what trends (if any) are apparent, and consider what action is necessary to address such trends.
15. If you have any suggestions for how this procedure could be improved, please contact me.